

Hi [Name]

As mentioned previously, I am an attorney in OGC's [REDACTED] and am reaching out in connection with the Department of Justice's criminal prosecution of Joshua Schulte.

This email is to notify you that the defense has issued the attached subpoena to compel your attendance at the trial, which will begin on June 14, 2022, and is expected to last 3 to 4 weeks. The Court has ordered that I accept service of this subpoena on your behalf. Therefore, this subpoena has been properly served upon you. Pursuant to 32 C.F.R. §1905.4(a), you must notify OGC's Litigation Division (LD) of your receipt of this subpoena. LD will then follow the procedures set forth in 32 C.F.R. § 1905.4. Your primary point of contact for this subpoena is [REDACTED], who can be reached at [REDACTED].

Please **do not** discuss the interview request with [REDACTED]. You may only discuss the subpoena with [REDACTED].

If you have any questions regarding the subpoena, please address those to [REDACTED], and do not include me on the correspondence. However, feel free to let me know if you have trouble connecting with [REDACTED].

Thank you,

[Name]

Hi [NAME]

I'm an attorney in OGC's [REDACTED] and am reaching out in connection with the Department of Justice's criminal prosecution of Joshua Adam Schulte. The defense attorneys assisting Mr. Schulte have contacted DOJ to request to interview you in preparation of Mr. Schulte's defense in the retrial of his criminal case. You may recall that OGC contacted you in connection with Mr. Schulte's first trial a few years ago. Mr. Schulte is representing himself during his retrial, but he has standby defense counsel with a TS//SCI clearance available to assist him. Any interview would be conducted in an appropriate facility. Generally, the defense has the right to request to interview you. The defense also has the right to keep the names of those it seeks to interview confidential. Therefore, you should not share the content of this email with anyone at CIA without first speaking with me.

You also have certain rights. This memorandum is intended to inform you of those rights:

- You have the right to grant or deny a request made by the defense to interview you.
- You have the right to consult with your own private attorney before any such interview or to have such attorney accompany you.
- You have the right – at your discretion – to consult with OGC attorneys about issues relating to Agency equities before granting or denying any interview request, or at any other time.
- If you choose to be interviewed by defense counsel, OGC attorneys will advise you regarding the scope of the official information that you are permitted to discuss during an interview. However, such advice is in no way intended to influence your decision whether to meet with defense counsel. The decision to grant an interview with defense counsel is yours and yours alone.
- If you receive any request or demand to turn over CIA documents within your possession, you should not turn over the documents and should consult with an OGC attorney immediately.

If possible, please advise me by April 20, 2022, whether or not you intend to grant the defense's request to interview you. I will then inform Mr. Schulte's standby defense attorneys of your response. Should you decide to grant their request, OGC will work with you and Mr. Schulte's standby defense attorneys to facilitate an appropriate time and setting for the interview to take place.

In addition, by a separate email, I will be sending you a subpoena to compel your attendance at Mr. Schulte's trial, which is scheduled to start on June 14, 2022. There will be more information about the subpoena in that separate email, but I want to clarify that the subpoena is to compel your attendance at trial only, should the defense decide to call you as a witness. The subpoena is completely unconnected to the defense's request to interview you. As noted above, you have the right to grant or deny the interview request, and the subpoena does not require you to grant that request.

If you have any questions, please do not hesitate to contact me at [REDACTED].

Thank you,

[NAME]